



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/555,551	08/29/2000	Jonathan B. Orlick	ST/044	8362

7590 06/15/2005

Alexander Shvarts  
Fish & Neave  
1251 Avenue of the Americas  
New York, NY 10020-1105

EXAMINER

MA, JOHNNY

ART UNIT PAPER NUMBER

2617

DATE MAILED: 06/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/555,551

Applicant(s)

ORLICK, JONATHAN B.

Examiner

Johnny Ma

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 February 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-10,12,13,15-19,21 and 24-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-10,12,13,15-19,21 and 24-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1,3-10,12-19,21, and 24-37 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3-7, 12-13, 15-19, 21, 24-25, 28-32, and 35-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knudson et al. (US 2002/0120933 A1) in further view of Zigmond et al. (US 6,698,020 B1).

As to claim 1, note the Knudson et al. reference that discloses a program guide system with flip and browse advertisements. The claimed "a receiver for recovering a television signal being currently broadcast" is met by "[c]ommunications paths 46 preferably have sufficient bandwidth to allow television distribution facility 38 to distribute scheduled television programming, pay programming, advertising and other promotional videos, and other video information to set-top boxes..." (Knudson et al. [0037]) wherein set top box recovers broadcasted television signals (Knudson et al. [0047]). The claimed "a display monitor for displaying the recovered television signal" is met by "[v]ideo for the current channel to which the user's set-top box is tuned (i.e., the current channel that the user is viewing) is displayed on the user's television screen 68" (Knudson et al. [0047]). The claimed "means for displaying on a

Art Unit: 2614

substantially full portion of the monitor a television picture from the recovered television signal” is met by the disclosed flip display arrangement with advertisements wherein “[v]ideo for the current channel to which the user (i.e., set-top box 48 of FIG. 1) is tuned is displayed on screen 78” (Knudson et al. [0050]). The claimed “means for displaying a pop up window overlaid on the displayed television picture” is met by browse and flip program guide overlay displays (Knudson et al. [0050]) also see Figures 6 and 7. The claimed “the pop up window including the selected advertising message” is met by “the program guide provides browse and flip displays that contain advertisements” (Knudson et al. [0050]). The claimed pop up window including “an informational message related to the displayed television picture other than program title” is met by browse display including informational messages conveying station number, station name, and program time in addition to program title, see Figure 7 (Knudson et al.). The claimed “wherein the television picture is simultaneously displayed with both the informational message and the advertising message” is met by browse display, as illustrated in Figure 7, wherein the display includes advertisement, program title, program channel/station, and program time (Knudson et al., see Figure 7). Also note, the Knudson et al. reference discloses displaying advertisements to viewers in program guide browse and flip displays (Knudson et al. [0050]), the advertising being related information may be presented to the user based on the user’s interests (Knudson et al. [0045]), wherein selecting from a plurality of advertising messages is inherent to the display of advertisements to users of various interests, the Knudson et al. reference discloses a plurality of advertisements (Knudson et al. [0050]). However, the Knudson et al. reference does not specifically disclose “means for determining the television picture that is being displayed” and “means for selecting an advertising message related to the

Art Unit: 2614

television picture determined to be displayed from a plurality of advertising messages related to the displayed television picture.” Now note the Zigmond et al. reference that discloses techniques for intelligent video ad insertion. The claimed “means for determining the television picture that is being displayed” is met by “the ad insertion devices of the invention further comprise means for identifying the content of television programs carried on the video programming feed “(Zigmond 10:64-67) and “[t]he programming descriptions contained in the electronic program database 81 may be used selected an advertisement according to the subject matter of a particular program” (Zigmond 12:60-62). The claimed “means for selecting an advertising message related to the television picture determined to be displayed” is met by advertisement source stores a plurality of advertisements (Zigmond 4:15-24; 8:3-7) and “the ad selection criteria 83 may select specific advertisements according to a particular program being viewed” (Zigmond 12:49-51). The claimed “from a plurality of advertising messages related to the displayed television picture” is met by “the ad selection criteria 83 may select specific advertisements according to a particular program being viewed” (Zigmond 12:49-51) wherein advertisement source comprises a plurality of advertisements related to particular programming for display. Therefore, the examiner submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Knudson et al. advertisements with the Zigmond et al. advertisement selection for the purpose of providing a method of selecting advertisements for the display to a user and that have a greater likelihood to a viewer’s interests.

As to claim 3, the claimed “wherein the informational message relates to content of the television picture from the recovered television signal” is met by “[w]hen browse display 80 is

Art Unit: 2614

initially invoked by the user by pressing a cursor key 62, browse display 80 contains program listing 84 for the current channel (e.g., channel 6) and time...", also see Figures 6 and 7 (Knudson et al. [0051]).

As to claim 4, the claimed "wherein the informational message relates to later programming on a channel of the recovered television signal" is met by "[w]hen browse display 80 is initially invoked by the user by pressing a cursor key 62, browse display 80 contains program listing 84 for the current channel (e.g., channel 6) and time...", also see Figures 6 and 7 (Knudson et al. [0051]) wherein "...the program guide may provide a browse display 88 that allows the user to browse program listings for programs that are schedule to be aired at times other than the current time, [future programs]" (Knudson et al. [0052], also see Figure 7).

As to claim 5, the claimed "wherein the informational message relates to current programming on a channel of the recovered television signal" is met by "[w]hen browse display 80 is initially invoked by the user by pressing a cursor key 62, browse display 80 contains program listing 84 for the current channel (e.g., channel 6) and time...", also see Figures 6 and 7 (Knudson et al. [0051]).

As to claim 6, the claimed "additionally comprising means for displaying a composite of an EPG and an advertising message overlaid on the displayed television picture" is met by the display of browse and flip program guide displays overlaid on top of a screen, including an advertising message (Knudson et al. [0050], also see Figures 6 and 7).

As to claim 7, please see rejection of claim 6.

Art Unit: 2614

As to claim 12, the claimed “in which the selected advertising message is about a product or service” is met by advertisements for various products and services (Knudson et al. [0030, 0050]).

As to claim 13, note the Knudson et al. reference that discloses a program guide system with flip and browse advertisements. The claimed “recovering a television signal being currently broadcast” is met by “[c]ommunications paths 46 preferably have sufficient bandwidth to allow television distribution facility 38 to distribute scheduled television programming, pay programming, advertising and other promotional videos, and other video information to set-top boxes...” (Knudson et al. [0037]) wherein set top box recovers broadcasted television signals (Knudson et al. [0047]). The claimed “displaying on a substantially full portion of a monitor a television picture from the recovered television signal” is met by the disclosed flip display arrangement with advertisements wherein “[v]ideo for the current channel to which the user (i.e., set-top box 48 of FIG. 1) is tuned is displayed on screen 78” (Knudson et al. [0050]). The claimed “displaying a pop up window overlaid on the displayed television picture” is met by browse and flip program guide overlay displays (Knudson et al. [0050]) also see Figures 6 and 7. The claimed “the pop up window including the selected advertising message” is met by “the program guide provides browse and flip displays that contain advertisements” (Knudson et al. [0050]). The claimed pop up window including “an informational message related to the displayed television picture other than program title” is met by browse display including informational messages conveying station number, station name, and program time in addition to program title, see Figure 7 (Knudson et al.). The claimed “wherein the television picture is simultaneously displayed with both the informational message and the advertising message” is

Art Unit: 2614

met by browse display, as illustrated in Figure 7, wherein the display includes advertisement, program title, program channel/station, and program time (Knudson et al., see Figure 7). Also note, the Knudson et al. reference discloses displaying advertisements to viewers in program guide browse and flip displays (Knudson et al. [0050]), the advertising being related information may be presented to the user based on the user's interests (Knudson et al. [0045]), wherein selecting from a plurality of advertising messages is inherent to the display of advertisements to users of various interests, the Knudson et al. reference discloses a plurality of advertisements (Knudson et al. [0050]). However, the Knudson et al. reference does not specifically disclose "determining the television picture that is being displayed" and "selecting an advertising message related to the television picture determined to be displayed from a plurality of advertising messages related to the displayed television picture." Now note the Zigmond et al. reference that discloses techniques for intelligent video ad insertion. The claimed "determining the television picture that is being displayed" is met by "the ad insertion devices of the invention further comprise means for identifying the content of television programs carried on the video programming feed "(Zigmond 10:64-67) and "[t]he programming descriptions contained in the electronic program database 81 may be used selected an advertisement according to the subject matter of a particular program" (Zigmond 12:60-62). The claimed "selecting an advertising message related to the television picture determined to be displayed" is met by advertisement source stores a plurality of advertisements (Zigmond 4:15-24; 8:3-7) and "the ad selection criteria 83 may select specific advertisements according to a particular program being viewed" (Zigmond 12:49-51). The claimed "from a plurality of advertising messages related to the displayed television picture" is met by "the ad selection criteria 83 may select specific



Art Unit: 2614

advertisements according to a particular program being viewed” (Zigmond 12:49-51) wherein advertisement source comprises a plurality of advertisements related to particular programming for display. Therefore, the examiner submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Knudson et al. advertisements with the Zigmond et al. advertisement selection for the purpose of providing a method of selecting advertisements for the display to a user and that have a greater likelihood to a viewer’s interests.

As to claim 15, the claimed “wherein the informational message relates to content of the television picture from the recovered television signal” is met by “[w]hen browse display 80 is initially invoked by the user by pressing a cursor key 62, browse display 80 contains program listing 84 for the current channel (e.g., channel 6) and time...”, also see Figures 6 and 7 (Knudson et al. [0051]).

As to claim 16, the claimed “wherein the informational message relates to later programming on a channel of the recovered television signal” is met by “[w]hen browse display 80 is initially invoked by the user by pressing a cursor key 62, browse display 80 contains program listing 84 for the current channel (e.g., channel 6) and time...”, also see Figures 6 and 7 (Knudson et al. [0051]) wherein “...the program guide may provide a browse display 88 that allows the user to browse program listings for programs that are schedule to be aired at times other than the current time, [future programs]” (Knudson et al. [0052], also see Figure 7).

As to claim 17, the claimed “wherein the informational message relates to current programming on a channel of the recovered television signal” is met by “[w]hen browse display 80 is initially invoked by the user by pressing a cursor key 62, browse display 80 contains

Art Unit: 2614

program listing 84 for the current channel (e.g., channel 6) and time...”, also see Figures 6 and 7 (Knudson et al. [0051]).

As to claim 18, the claimed “additionally comprising displaying a composite of an EPG and an advertising message overlaid on the displayed television picture” is met by the display of browse and flip program guide displays overlaid on top of a screen, including an advertising message (Knudson et al. [0050], also see Figures 6 and 7).

As to claim 19, please see rejection of claim 18.

As to claim 21, the claimed “in which the selected advertising message is about a product or service” is met by advertisements for various products and services (Knudson et al. [0030, 0050]).

As to claim 24, please see rejection of claim 1.

As to claim 25, the claimed “wherein the selected advertising message is about an upcoming television program or event” is met by selectable advertisement may be an advertisement for a future television program (Knudson et al. [0065]).

As to claim 28, the claimed “wherein the selected advertising message is related to a subject of the displayed television picture” is met by that discussed in the rejection of claim 1.

As to claim 29, the claimed “wherein a different advertising message is selected each time the pop up window is displayed.” Note the Knudson et al. reference discloses “[t]he content of advertisement 82 may be cycled (i.e., replaced periodically by another advertisement” (Knudson et al. [0050]). However, the Knudson et al. reference does not specifically disclose the display of a different advertising message each time the pop up window is displayed.

Nevertheless, the examiner gives Official Notice that it is notoriously well known in the art to

Art Unit: 2614

display different advertisements to users for the purpose of maximizing advertising revenue and to increase the likelihood that a user will view and advertised product or service of interest to the viewer and for the further purpose of providing variety to a user. Therefore, the examiner submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Knudson et al. display electronic program guide advertisements including products and services accordingly for the above stated advantages.

As to claim 30, the claimed "wherein a different advertising message is selected and displayed after a predetermined time" is met by "[t]he content of advertisement 82 may be cycled (i.e., replaced periodically by another advertisement" (Knudson et al. [0050]).

As to claim 31, please see rejection of claim 13.

As to claim 32, the claimed "wherein the selected advertising message is about an upcoming television program or event" is met by selectable advertisement may be an advertisement for a future television program (Knudson et al. [0065]).

As to claim 35, the claimed "wherein the selected advertising message is related to a subject of the displayed television picture" is met by that discussed in the rejection of claim 13.

As to claim 36, the claimed "wherein a different advertising message is selected each time the pop up window is displayed." Note the Knudson et al. reference discloses "[t]he content of advertisement 82 may be cycled (i.e., replaced periodically by another advertisement" (Knudson et al. [0050]). However, the Knudson et al. reference does not specifically disclose the display of a different advertising message each time the pop up window is displayed.

Nevertheless, the examiner gives Official Notice that it is notoriously well known in the art to display different advertisements to users for the purpose of maximizing advertising revenue and

Art Unit: 2614

to increase the likelihood that a user will view and advertised product or service of interest to the viewer and for the further purpose of providing variety to a user. Therefore, the examiner submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Knudson et al. display electronic program guide advertisements including products and services accordingly for the above stated advantages.

As to claim 37, the claimed “wherein a different advertising message is selected and displayed after a predetermined time” is met by “[t]he content of advertisement 82 may be cycled (i.e., replaced periodically by another advertisement)” (Knudson et al. [0050]).

4. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knudson et al. (US 2002/0120933 A1) in further view of Zigmond et al. (US 6,698,020 B1) and Alten et al. (US 5,635,978).

As to claim 8, note the Knudson et al. reference discloses distributing non-video program guide and advertising data to set top boxes wherein storage of such data at set top box is inherent to their utilization (Knudson et al. [0037]). However, the Knudson et al. reference is silent as to the storage of EPG data including background color. Now note the Alten reference that discloses the storage of bitmaps in the system for use as “mood background” viewing (Alten 11:34-38). Alten specifically discloses the use of a “nighttime view” (Alten 11:42) and (Fig. 5c) as an example. Therefore, the examiner submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Knudson et al. EPG display with the Alten et al. background coloring for the purpose of easing the monotony of viewing program listings.

As to claim 9, please see rejection of claim 8.

Art Unit: 2614

5. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Knudson et al. (US 2002/0120933 A1) in further view of Zigmond et al. (US 6,698,020 B1), Alten et al. (US 5,635,978), and Marshall et al. (US 5,828,420).

As to claim 10, note the Knudson et al. and Alten et al. combination teaches an EPG guide including stored background color values. However, the Knudson et al. and Alten et al. combination is silent as to the use of a transparent value for the background color. Now note the Marshall et al. reference that discloses an EPG that uses a transparent value for the background of the EPG (Fig. 9). Therefore, the examiner submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Knudson et al. and Alten et al. combination with the Marshall et al. transparent background color for the purpose of maintaining the full screen view of the television program while viewing the program listing for the viewer's entertainment.

6. Claims 26-27 and 33-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knudson et al. (US 2002/0120933 A1) in further view of Zigmond et al. (US 6,698,020 B1) and Schein et al. (US 2003/0208758 A1).

As to claims 26 and 27, the claimed "wherein the selected advertising message is related to a sponsor of the displayed television picture" and "wherein the selected advertising message promotes products and services of the sponsor." Note the Knudson et al. reference discloses programming related advertisements that promote a television program or channel or non-programming products and services (Knudson et al. [0050]). However, the Knudson et al. reference does not specifically disclose advertising messages relating to a television program sponsor. Now note the Schein et al. reference that discloses a method and system for displaying

Art Unit: 2614

panel advertisements in an electronic program guide wherein advertisement messages may advertise programs or products from program sponsors, etc. (Schein et al. [0081]). Therefore, the examiner submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Knudson et al. electronic program guide advertisements including products and services with the Schein et al. program sponsor advertisements for the purpose of providing a program sponsor with an additional benefit of increasing exposure of viewers to its' products/services and an additional means revenue.

As to claims 33 and 34, the claimed "wherein the selected advertising message is related to a sponsor of the displayed television picture" and "wherein the selected advertising message promotes products and services of the sponsor." Note the Knudson et al. reference discloses programming related advertisements that promote a television program or channel or non-programming products and services (Knudson et al. [0050]). However, the Knudson et al. reference does not specifically disclose advertising messages relating to a television program sponsor. Now note the Schein et al. reference that discloses a method and system for displaying panel advertisements in an electronic program guide wherein advertisement messages may advertise programs or products from program sponsors, etc. (Schein et al. [0081]). Therefore, the examiner submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Knudson et al. electronic program guide advertisements including products and services with the Schein et al. program sponsor advertisements for the purpose of providing a program sponsor with an additional benefit of increasing exposure of viewers to its' products/services and an additional means revenue.

### *Conclusion*

Art Unit: 2614

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The Yuen et al. reference (US 6,687,906 B1) discloses EPG with advertising inserts wherein “[a]s illustrated in FIG. 2, an advertising insert 50 is preferably displayed as a line below the listing, “NBC 4 NEWS” of the television program that the advertiser, e.g., Coca Cola, sponsors. However, it is not necessary that there be a relationship between the position of the advertiser and the television program, depending on the circumstances” (column 3, lines 40-45).

The Yuen et al. reference (US 2001/0042246 A1) discloses a home entertainment system and method of its operation wherein “information about the future programs being advertised is ‘linked’ to a current program, i.e., can be retrieved when a current program is being displayed with an EPG function signaling icon. For example, the information about the future programs could be linked to the current programs including advertisements by being part of the same file as the current programs instead of being linked by a pointer” ([0037]) and an announcement or advertisement may comprise an advertisement of a later telecast program or current program on a different channel, a network could promote its other program offerings being telecast at the same time ([0050-0051]).

The Slezak reference (US 6,006,257) discloses a multimedia architecture for interactive advertising in which secondary programming is varied based upon viewer demographics and content of primary programming wherein advertisements are selected for display (Slezak 10:26-35) according to “[t]he nature of the secondary programming presented to the viewer can vary based on a number of determining factors, including the movie currently selected, a past history of movies selected, the scene in the current movie at which the advertising will be displayed,

Art Unit: 2614

previously collected demographic information about the viewer... Thus, for example, if a viewer selects an action movie as the primary program, if at some point a truck is highlighted in a scene, secondary programming material can be interleaved which presents an advertisement related to a local truck dealer carrying a similar model of truck being shown in the primary programming” (Slezak 4:4-19) wherein secondary programs may comprise video, animations, graphics, text, audio, or any other multimedia medium (Slezak 4:44-47).

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Johnny Ma whose telephone number is (571) 272-7351. The examiner can normally be reached on 8:00 am - 5:00 pm.



Art Unit: 2614

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on (571) 272-7331. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

jm



VIVEK SRIVASTAVA  
PRIMARY EXAMINER